

Docket No.: 21406 US (C038435/0185659)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
Tatsuo HOSHINO <i>et al.</i>	)	Examiner: Not Yet Assigned
Serial No.: 10/528,674	)	Art Unit: Not Yet Assigned
Filed: March 23, 2005	)	
For: <b>TRANSCRIPTIONAL ACTIVATOR</b>	)	
<b>GENE FOR GENES INVOLVED IN</b>	)	
<b>COBALAMIN BIOSYNTHESIS</b>	)	

New York, New York  
August 18, 2005

**RESPONSE TO NOTIFICATION OF  
MISSING REQUIREMENTS UNDER 35 U.S.C. § 371**

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. §371 dated July 26, 2005 (a copy of which is attached hereto as Exhibit 1) for the above-identified application, applicants submit herewith the following:

1. an executed Declaration and Power of Attorney in compliance with Rule 37 CFR §1.497(a) and (b) (Exhibit 2); and
2. a check in the amount of \$130.00 to cover the surcharge for providing the oath or declaration later than 30 months from the priority date (See 37 CFR §1.492 (e)).

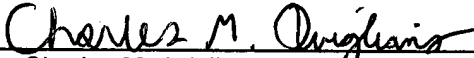
08/25/2005 LLANDGRA 00000017 10528674

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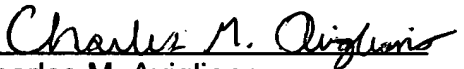
130.00 DP

If our check is missing or otherwise insufficient, or if any additional fees are required, the Commissioner is authorized to charge (or credit any overpayment) to Deposit Account No. 02-4467. A duplicate copy of this communication is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop PCT, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 18, 2005.

  
Charles M. Avigiliano, Reg. No. 52,578

Respectfully submitted,

By:   
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22 AUG 2005

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
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 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/528,674	Tatsuo Hoshino	21406 US C038435/0185659

INTERNATIONAL APPLICATION NO.

PCT/EP03/10572

I.A. FILING DATE

09/23/2003

PRIORITY DATE

09/27/2002

Stephen M Haracz  
 Bryan Cave  
 1290 Avenue of the Americas  
 New York, NY 10104

CONFIRMATION NO. 2411

371 FORMALITIES LETTER



\*OC000000016603711\*

Date Mailed: 07/26/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 03/23/2005
- Copy of the International Search Report filed on 03/23/2005
- Copy of IPE Report filed on 03/23/2005
- Preliminary Amendments filed on 03/23/2005
- Information Disclosure Statements filed on 03/23/2005
- Biochemical Sequence Diskette filed on 03/23/2005
- Biochemical Sequence Listing filed on 03/23/2005
- U.S. Basic National Fees filed on 03/23/2005
- Priority Documents filed on 03/23/2005

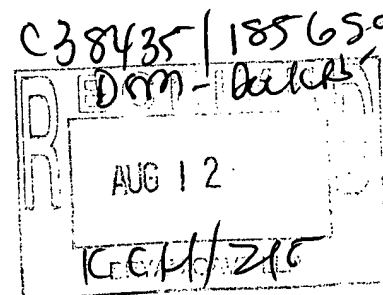
The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- **\$130** Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.



ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

WINSTON M ALVARADO

Telephone: (703) 308-9140 EXT 206

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/528,674	PCT/EP03/10572	21406 US C038435/0185659

FORM PCT/DO/EO/905 (371 Formalities Notice)